IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE
WRIT PETITION NO.3175 OF 2004
WITH
WRIT PETITION NO.6759 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.

Court's or Judge's orders

Mr.R.M. Patne i/b.Milan Bhise & Co., for the Respondent.

CORAM : F.I. REBELLO,J.
DATED : JANUARY 27, 2005
P.C.

. Petitioner in Writ Petition No.3175 of 2004 is the wife. The Petitioner in Writ Petition No.6759 of 2004 is the husband. Both the petitions challenged the order of the Family Court dated 18th March, 2004 in the matter of custody of the children. Learned Counsel for the husband points out that by order of October 2, 2004, xerox copy of which is taken on record, the proceedings pending before the Family Court at Pune are transferred to the Family Court at Kolkatta. Considering that the interest of justice will be met if the following order is passed:-

(i) In view of the fact that the proceedings have been transferred to the High Court at Kolkatta and as both the petitions are yet to be admitted the proper

course would be to give liberty to the parties to challenge the said orders before the Kolkatta High Court.

(ii) Considering the fact that there is an order of 6th April, 2004 whereby this Court has granted stay of the order of the Family Court in the matter of custody of child Akshay, that interim order to continue for a further period of eight weeks to enable the petitioner wife to apply for whatever interim relief she may be entitled in law before the Kolkatta High Court.

(iii) Considering the above both the Petitions stand disposed of in terms of the directions issued above.

. Personal Secretary of this Court to issue authenticated copy of this order to the parties.

(F.I. REBELLO, J.)